

# **FISCAL NOTE**

## **HB 539 - SB 879**

March 30, 2003

**SUMMARY OF BILL:** Prohibits a defendant who has been convicted of a lesser-included offense from having his record expunged of the more serious offense or offenses charged for which he was found not guilty. Also prohibits the expungement of the record of a defendant who has been found not guilty by reason of insanity. This bill is in response to Supreme Court decision in State v. Adler.

### **ESTIMATED FISCAL IMPACT:**

**Other Fiscal Impact - Cost avoidance exceeding \$100,000 for local governments resulting from court clerks not being required to expunge records by separating the more serious charged offenses for which the defendant was found not guilty from records of the lesser included offense or for persons found not guilty by reason of insanity.**

### **CERTIFICATION:**

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "James A. Davenport".

James A. Davenport, Executive Director